

**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
November 5, 2024, 9:00 AM**

Present: Xanthippe Augerot, Chair; Nancy Wyse, Vice Chair; Pat Malone, Commissioner; Vance Croney, County Counsel; Rachel McEneny, County Administrator; Rick Crager, Assistant County Administrator

**Elected
Official:** Jef Van Arsdall, Sheriff

Staff: Debbie Bauer, Gabrielle Dibble, Financial Services; Laurel Byer, Joe Mardis, Shea Steingass, Gary Stockhoff, Public Works; Marriah De La Vega, Maura Kwiatkowski, Board Staff; Chelsea Chytka, Katie Cooper, Sergeant Joshua Gordon, Bryan Lee, Sheriff's Office; Lynda Lindley, Tracy Martineau, Regan Orsborn, Human Resources; Sean McGuire, Sustainability; Erika Milo, Board Recorder; Anne Thwaites, Public Information Officer; Bailey Payne, John Swanson, James Wright, Community Development, Sara Crawford, Juvenile; Jamie Olsen, Health; Christopher Dale, Benton County Deputy Sheriffs Association

Guests: John Harris, Horsepower Productions; Christopher Jacobs, Corvallis-Benton County Economic Development Office; Mark Lapinskas, Oregon Cascades West Council of Governments; Lisa Scherf, City of Corvallis; Charlene Pech, Benton Area Transit; D'Anne Hammond, Debbie Palmer, Greg Munn, Becky Merja, Marge Popp, residents

1. Call to Order and Introductions

Chair Augerot called the meeting to order at 9:02 AM and introductions were made.

2. Review and Approve Agenda

No changes were made to the agenda.

3. Announcements

Augerot encouraged everyone to vote; the polls close at 8 PM.

4. Proclamations

4.1 Proclaiming November 11, 2024 as Veterans Day in Benton County, Proclamation No. P2024-021 – Mark Lapinskas, Oregon Cascades West Council of Governments

Lapinskas read the Proclamation aloud.

Lapinskas reported the Oregon Cascades West Council of Governments (COG) now has a Memorandum of Agreement with the Eugene Veterans Center, which will be setting up mental health services for veterans at least twice per month at the COG Office. This will begin in November and save veterans from having to travel to the Cities of Eugene or Salem for certain services. COG also has a new Veterans Service Officer (VSO), Carrie Starton, who was hired in June 2024. Starton is working to earn the Veterans Administration (VA) accreditation, which takes about one year. Also, since January 1, COG has processed retroactive claims totaling more than \$815,000. Also, year to date, 100 new veterans were taken into the office, and over 2,700 communications have been made. Further, over 200 new claims and appeals were processed. COG's veterans outreach program in the City of Monroe and the Community of Alsea is reaching those without good internet service or communications. The ability to get these veterans into VA health services is the most important goal. Lapinskas travels to rural communities such as the Communities of Alsea, Blodgett, and Kings Valley to meet clients and post flyers about COG veterans' services. Starton will take over at Oregon State University to assist student veterans there.

Augerot was pleased to hear about the veterans services COG is providing, especially the outreach, and cited the data provided by Lapinskas as positive progress.

Malone asked how Starton's pursuit of VA accreditation fits with COG responsibilities.

Lapinskas indicated Starton is a disabled Marine Corps veteran who has been through the process and understands it. Starton also worked in a COG division that dealt with program eligibility such as Medicaid. Upon passing the accreditation test, Starton will be able to manage and review cases as the signing VSO.

MOTION: Malone moved to proclaim November 11, 2024, as Veterans Day in Benton County, Proclamation #2024-021. Wyse seconded the motion, which **carried 3-0**.

5. Comments from the Public

Sabra Thomas: Thomas confirmed the Board had received her letter previously submitted. Thomas owns property north of Corvallis in the Urban Growth Boundary at 4610 and 4710 NE Elliot Circle. Thomas purchased Parcel 1 in 2002 and Parcel 2 in 2006 and added a boarding barn and a veterinary clinic. The seller of Parcel 1 signed a convent restricting Thomas from dividing the property into any additional parcels. Thomas sold the veterinary clinic to an associate in 2019 who is now interested in

expanding the veterinary practice and must buy at least 10 acres. The urban industrial part allows two-acre parcels. The flexible industrial part allows Thomas to have had the veterinary clinic, but it only allows for two parcels, and each one must be at least 10 acres. There are about six properties with this designation throughout Benton County, and this is one of them. Thomas is listed as Parcel 16, acreage 23, which is confusing because it is almost 27 acres. Thomas is looking for a legislative path forward to have the veterinary clinic expand without having to buy 10 acres. Other options have been explored. The Code was written in the early 1980s; and since then, there has been some growth there (Pino Gris Estates). Thomas wants to continue living there and sell part of the property to the veterinary clinic and perhaps the Humane Society. A covenant signed by the previous owner would need to be removed, and a text amendment to the flexible industrial zone would be needed, at least on Parcel 16. Thomas is unsure how that could be done or if there a conditional use or variance that would allow further partition.

Augerot cited the situation as an example of where the County needs to work more closely with the City of Corvallis on the Urban Fringe Management Agreement when it does not fit a growing community and develop a path for such situations. Augerot expressed a desire to have County Counsel and the Community Development Director get involved and bring something back to the Board for consideration. The circumstances seem ideal for the Humane Society, and Augerot would like to see it happen. The County is also undergoing a Comprehensive Plan Review, but that is a long, slow process.

Marge Popp: Popp indicated that at the Board's October 22, 2024 Information Sharing Meeting, in response to a question about the penalty for exceeding the annual tonnage limit at Coffin Butte Landfill, Counsel Croney provided a 55-second response, but the microphone was off, and the response was inaudible to the audience and on the meeting recording. Popp requested Croney repeat that response clearly to the question, "What is the penalty for exceeding the annual tonnage limit at Coffin Butte Landfill?"

Counsel responded that the penalties are spelled out in the franchise agreement and indicated the information had been sent previously to Popp and others. Counsel directed Popp to the franchise agreement for a description of any penalties and any steps the County could take. Counsel also directed Popp to chapter 23 of the Benton County Code, which is the County's solid waste ordinance.

Popp indicated the franchise agreement had been reviewed, and there was no mention of penalties; hence, Popp's request for a verbal response.

Wyse indicated Counsel could provide a written response via email.

Popp asked for confirmation that Counsel would provide the public response in writing.

Augerot confirmed that would be appropriate, citing the need to clarify the issue and provide a common public answer.

Popp requested that the information be provided in easy-to-understand language.

Counsel indicated the information would be provided to the Board, which can be disseminated as the Board deems appropriate.

Augerot indicated a commitment to respond to Popp. Augerot will also work with Solid Waste staff and suggested the evolving web page could include a Frequently Asked Questions component.

Chris McFarland: McFarland addressed the Board, saying, “You should be ashamed of yourself, all of you.”

Lucia Vanecek: Vanecek spoke in support of the naming of Rosenast Road, Private Road No. 3350, which is off Airport Road in the south half of Section 21, Township 12, South Range 5, west of the Willamette meridian, Benton County, Oregon. Vanecek’s father has been farming there for over 50 years, and they would like the road to have his surname.

Augerot indicated the item would be heard as Agenda Item 8.2.

6. Work Session

6.1 Quarterly Economic Development Update – Christopher Jacobs, Corvallis-Benton County Economic Development Office

Jacobs first referred the Board to the memorandum about the questionnaire contained in the meeting packet. After Jacobs’ last quarterly update, a questionnaire was provided to County Commissioners, Corvallis Councilors, and the Economic Development Coalition Advisory Board to offer prioritization on the five strategies in the Economic Development Office Workplan and the goals under those strategies. Ranking highest was Strategy No. 1 to utilize new and existing tools, such as multiunit property tax exemptions, enterprise zones, tax increment, financing districts, and public-private partnerships to grow the property tax base throughout Benton County. Strategy No. 2, to develop a modern business retention and expansion program to support and grow trade sector businesses, was ranked second.

Jacobs next provided quarterly updates that appear within the Strategic Workplan. The workplan is a living document that has been updated quarterly for nearly a year. It was last updated on October 24, 2024. Progress starts with Goal 1c: the Airport Industrial Park. Jacobs indicated annexation was underway, meetings with AIP tenants are occurring, and a wetland delineation study is complete. Priority redevelopment sites within the AIP have been identified, and annexation will provide for an enterprise fund to begin marketing these development opportunities and to invest in infrastructure necessary to encourage development. Annexation is the key component to being more competitive with this opportunity.

Regarding Goal 2a, which is to create a business registry for all commercial and industrial properties in Benton County, substantial progress was made in the first quarter of Fiscal Year 2024/25. Vacancy rates and business type mix within the City of Corvallis can now be reported. Although the data is not exhaustive, it does provide the best perspective of commercial and industrial activity within the City in many years; 1,637 businesses have been identified and characterized by type to identify the most common businesses. This level of information has not been previously available and will next be prepared for other cities and communities such as Adair Village, Monroe and Philomath.

Apartments and property management companies are some of the most common in Corvallis. The commercial and industrial vacancy rates are 3% and 4%, respectively. The low industrial rate is one of challenges for the Economic Development Office (EDO). Companies growing out of Oregon State University (OSU) do not have vacant industrial properties to transition to, and the development review process is slow and expensive. It is a major barrier to companies wanting to locate to the area; hence, the desire to annex AIP. Over the last quarter, EDO met with 49 companies in Benton County; last fiscal year the number was 111, which eclipsed the goal of 100. With a fully staffed office, the long-term goal could likely be doubled. Over the last quarter, almost 20% of all business retention and expansion (BRE) contacts were about the Food Hub grant project. Now that the Food Hub grant project is largely complete, business expansion has been the major topic; almost 37% of all BRE contacts. Another 16.3% were incentive requests. More than half of the BRE touchpoints were those two topics, which is very encouraging. There is active development interest in South Corvallis, the Sealy Building in Adair Village, and the AIP, some of which is national development interest.

Since the last EDO update, HP received \$50 million in direct funding through the CHIPS (Creating Helpful Incentives to Produce Semiconductors) Act. Progress is occurring with the Main Street program; an affiliated Main Street designation application is being prepared. After dissolution of the Downtown Corvallis Association (DCA) during the pandemic, Corvallis' status in the Main Street Program slipped to Connected Communities, which is the Base level. Moving up to Affiliated would then provide a pathway to Designated, which is where the City stood for a long period. The Downtown Corvallis Organization succeeded DCA and held its first meeting in October 2024 with approximately 75 attendees. There is some rulemaking at the State level to designate Rural Main Street communities, so the EDO will be expanding its focus to include other parts of the County that have not been eligible for Main Street thus far, but which may become eligible in the future.

Regarding the Food Hub grant project, 10 applications were received totaling \$1.7 million. Discussions over the past year resulted in strong proposals. Five have been selected for funding, funds are being issued, and the requirement to obligate the funds by year end will have been met. The South Corvallis Urban Renewal Agency approved \$500,000 in new programs, and the South Corvallis Revolving Loan Fund is operational

with 2.5% interest loans until December 27, 2024. Thereafter, each proposal will be evaluated to distribute the first \$250,000 in those commercial incentives.

Goal 4c is the study and identification of best practice land use policies statewide to recommend land use reform and other policies that would help provide a competitive advantage to Benton County. Development of an ordinance for the CPACE (Commercial Property Assessed Clean Energy) Program is progressing and may come before the Board in December. Corvallis received the first MUPTE (Multi Unit Property Tax Exemption) application, and there is a major push for urban renewal in downtown Corvallis.

Jacobs attended the annual Oregon Economic Development Agency Conference earlier this year, which included a meeting with the Pacific Power President. A significant update from the Pacific meeting was that increased liability will lead to increased service interruption. Pacific's goal is to reduce the number of electricity-related incidents.

Augerot expressed appreciation for the work and contacts Jacobs is developing to make it easier to do business in Benton County without compromising some of the region's livability and environmental quality goals.

Malone appreciated the update on the business registry; it was difficult to provide support during the pandemic without a clear roster. Malone asked about the AIP annexation and what demand is there for the site if it was more user-friendly relative to the permitting process.

Jacobs indicated there is an incredible demand. There are wetland mitigation credits to actively develop about 15 acres, but resources are needed to enter public-private partnerships to build infrastructure. The mitigation credits would have to be purchased on the open market, and the credits go a long way toward financial feasibility for companies to locate there.

Malone asked about a timetable for streamlining the permit process. What role would the County play in the process?

Jacobs responded that part of the annexation in the South Corvallis Refinement Plan is correcting the Industrial Code. The current seven designations could be reduced to three, and the text could be improved. Thomas' case is a good example of City and County planners working to modify the development code to meet market needs. AIP needs this to make it easier while continuing to maintain a high development standard.

Malone asked about Federal government involvement.

Jacobs responded that the Federal land leases are for 40 years, with an option to extend, so the property cannot be sold. There are also height regulations due to proximity to the airport. There are some legacy challenges associated with AIP.

Wyse praised the work of the EDO and asked about Rural Main Street (RMS). Is there potential to take RMS to unincorporated areas?

Jacobs indicated it would be dependent upon the rulemaking currently underway. Comments have been provided, recognizing that many communities in Benton County are not eligible but could benefit, such as Philomath. The challenge is the lack of contiguous commercial properties. Future rulemaking may also allow for the City of Monroe to become eligible if non-contiguous commercial properties become permissible.

Augerot asked if there were any prioritization surprises in the questionnaire responses.

Jacobs indicated that the bodies surveyed were aligned around the strategies and goals.

Augerot thanked Jacobs for the presentation and indicated a mandate to move forward with the current strategic plan as prioritized.

7. Consent Calendar

7.1 Proclaiming November as Native American Heritage Month in Benton County, Proclamation No. P2024-022

7.2 Approval of the October 24, 2023 Information Sharing Meeting Minutes

Augerot highlighted the Proclamation and indicated many community events were scheduled. Since most of the events are OSU affiliated, the OSU website would be a good source of information.

MOTION: Wyse moved to approve the Consent Calendar of November 5, 2024. Malone seconded the motion, which carried 3-0.

8. New Business

8.1 Benton Area Transit Federal Section 5310 and 5311 Programs: Review and Approval – Gary Stockhoff, Public Works; Charlene Pech, Benton Area Transit

Stockhoff informed the Board that the 5310 and 5311 program funds are used and shared with Corvallis and the other cities. The 5310 funds are used for Benton Area Transit (BAT), lift, and paratransit. The 5311 funds support the Coastal, Valley, and 99 Express fixed routes. Some amounts are set, some have increased, and some have decreased; the County does not have a great deal of discretion. The funding formula is recalculated every six years, and Corvallis receives the majority due to population. The remainder is split evenly. The Oregon Department of Transportation (ODOT) does not

require Board approval for the 5311 Program, but approval is required for the 5310 program. Stockhoff thought it helpful to bring both programs to the Board. The programs will then be moved to ODOT and the State Transportation Commissioner for approval in Spring 2025.

Malone asked whether the funding is for the next biennium; and Stockhoff confirmed yes, it is for the 2025-27 biennium.

Malone noted the Federal government has a different timetable and asked whether the funds were already appropriated or waiting for Congress to act.

Stockhoff indicated the funds are administered by ODOT, so the funds tie to the County's biennium rather than the Federal fiscal year. Scherf confirmed the funding had been appropriated by Congress.

MOTION: Malone moved to approve the projects for the Benton Area Transit Federal Section 5310 and 5311 Programs as presented and to direct staff to submit applications to the Oregon Department of Transportation. Wyse seconded the motion, which carried 3-0.

8.2 Naming Rosenast Road Private Road No. 3350, Order No. D2024-057 – Joe Mardis, Public Works

Mardis indicated a petition had been submitted by Peter Rosenast for the road naming, and 100% of the residents signed the petition. The petition met the requirements of chapter 7, Roads and Names, in the Benton County Code (BCC). This private road is over one quarter mile.

Malone asked whether the request was a standard small road naming procedure.

Mardis responded yes. If the road is one quarter mile or longer, BCC allows for renaming.

MOTION: Malone moved to approve Order #D2024-057 for naming Rosenast Road, Private Road #3350. Wyse seconded the motion, which carried 3-0.

8.3 Acceptance of Easements for the Corvallis to Albany Path: Pilkington to Merloy Avenue – Laurel Byer, Public Works

Byer presented a final easement for the segment of the path between Wilkinson and Merloy, which is the Trillium property. There is a signed easement, and Board acceptance of the easement is being requested.

Malone asked whether the subject section would be completed this season.

Byer indicated the ground would be stripped and rock placed, so rain will not be an issue. Paving will be completed this fall, if possible, depending on weather and asphalt plant. If the paving cannot be done this fall, it will be done in the spring.

MOTION: Wyse moved to accept and approve the public utility and access easements for the Corvallis-to-Albany Path: Pilkington to Merloy Avenue. Malone seconded the motion, which carried 3-0.

8.4 Adoption of an Order Authorizing the Payment of Property Taxes to Certain Municipalities or Other Taxing Districts in Advance for the Tax Year 2024-2025, Order No. D2024-056 – Debbie Bauer, Financial Services

Bauer indicated the smaller taxing districts can benefit from our distribution, usually road and sewer fees; we pay those out of the County distribution. This year, everything has increased by about 3%. The City of Corvallis sewer district increased to over \$16,000, so staff placed a cap of \$20,000 this time. A few did go above \$16,000, but most are lower than that amount.

Augerot noted these distributions are similar to an advance so the County is not issuing small checks all year; it is simpler for the districts and the County.

MOTION: Malone moved to approve Order #D2024-056 authorizing the payment of property taxes to certain smaller municipalities and other taxing districts. Wyse seconded the motion, which carried 3-0.

Malone asked whether \$20,000 was the cutoff.

Bauer indicated the cutoff increases somewhat each year, so staff elected to increase it more this time so hopefully it can remain the same for several years. The County pays out at a 3% discounted amount. So long as the payments are made by December 31, they receive a 3% discount on their funds.

Augerot recessed the meeting at 10:04 AM and reconvened at 10:14 AM.

8.5 Formal Adoption and Promulgation of the Benton County Emergency Operations Plan 2024 – Bryan Lee, Emergency Management, Sheriff's Office

Lee indicated the Emergency Operations Plan (EOP) is required for all Oregon counties under ORS 401 and to receive FEMA funding for the Emergency Management Performance Grant, as well as other grants. The EOP is comprised of a base plan and annexes that include mass care and sheltering, damage assessment, etcetera).

The presentation focused on the base plan, which is an overview of guiding actions and processes for disaster declaration; how the County and its municipalities respond to

emergencies. There has been a shift at the Federal level of ESFs (emergency support functions). The numbers have changed; and community lifelines, currently at seven and are moving to eight. The numbering is an easy way to conceptualize the framework of emergency response and what the priorities are in emergency management and local government; essentially the stabilization of the community lifelines. This allows the community to understand the County's focus on assessing and prioritizing. The City of Corvallis is included in the County's EOP, but it was split slightly from its position in the previous plan for delineation and more equitability. Corvallis has its own EOP, which was adopted recently. Now, Corvallis is officially an annex to the County's base plan. Those are the main two changes in the plan update. The EOP is updated at least twice each year; and every four years, there is a full overhaul, review, and discussion with stakeholders.

Malone noted the plan is required, but it also helps the County in case of emergency to potentially access FEMA funding.

Lee confirmed and said the plan also helps with securing Homeland Security grants.

Malone asked about the importance of documenting the County's response during emergencies to support requests to FEMA for reimbursement.

Lee confirmed the County would be unable to receive full reimbursement if decisions made and actions taken during an emergency are not documented.

Malone referred to Page 117 of the Meeting Packet that discussed alternative locations such as the Sunset Building, Fairgrounds, and the former Board Office and asked whether the use of various locations would be based on the type and scale of the emergency and what is needed.

Lee confirmed this was the case.

Malone asked about the need for alternative sites once the new Emergency Operations Center (EOC) is operational.

Lee indicated the County would always have alternate sites, but the new EOC would be listed as the primary site.

Van Arsdall noted Sheriff's Office and Emergency Management staff participated in the IronOR Exercise, which is designed to test Oregon's capabilities and readiness in responding to a catastrophic Cascadia Subduction Zone earthquake. The Benton County team did an amazing job, and Van Arsdall's confidence in the team increased even more. Van Arsdall also congratulated Lee on recently being named Emergency Manager of the Year by the State of Oregon Emergency Operations Emergency Management Office.

MOTION: Malone moved to adopt the Benton County Emergency Operations Plan (EOP) for 2024. Wyse seconded the motion, which carried 3-0.

8.6 Addition of Post-Thanksgiving Friday Holiday to County Calendar – Board of Commissioners

Augerot reminded that the Board had considered over the years the addition of the post-Thanksgiving Friday as a County holiday and expressed a desire for the Board to consider adding the day effective in 2024. Augerot noted it is also Native American Heritage Day.

Wyse expressed support for the addition, since many employees already take the day off; and in past years, community members wanting to do County business that day is limited. Wyse also reminded that several years ago, the Board gave employees the day off as part of the COVID-19 challenges recognition to employees.

Malone also expressed support for adopting the Friday as a County holiday.

McEneny reported the unions were also very supportive.

Wyse reported having heard that the Records and Elections Department has had issues with certain days and asked if it was not an issue for the department if all County offices were closed.

McEneny responded that the closure had been researched, and there were no concerns.

MOTION: Wyse moved to add the post-Thanksgiving Friday holiday to the County calendar effective this year. Malone seconded the motion, which carried 3-0.

9. Other

No other business was discussed.

10. Executive Session Under ORS 192.660[2][d] – Labor Negotiations

Chair Augerot recessed the regular Board Meeting at 10:28 a.m. and immediately entered Executive Session.

Chair Augerot exited the Executive Session at 10:33 a.m. and immediately reconvened the regular Board Meeting.

11. Adjournment

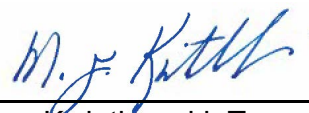
Chair Augerot adjourned the meeting at 10:34 a.m.



Nancy Wyse, 2025 Chair



Erika Milo, Recorder



Maura Kwiatkowski, Transcriptionist

* NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.